

4-29-2018

31 Confiscation - Book Draft

Krikor Guerguerian

Follow this and additional works at: https://commons.clarku.edu/adana_court_martial

Recommended Citation

Guerguerian, Krikor, "31 Confiscation - Book Draft" (2018). *Adana Confiscation (Courts Martial)*. 31.
https://commons.clarku.edu/adana_court_martial/31

This Book is brought to you for free and open access by the Private Materials (Archive 2) at Clark Digital Commons. It has been accepted for inclusion in Adana Confiscation (Courts Martial) by an authorized administrator of Clark Digital Commons. For more information, please contact mkrikonis@clarku.edu, jodolan@clarku.edu.

RESTITUTION

15

Republican
IS THE ACTUAL GOVERNMENT
~~OF TURKEY~~ RESPONSIBLE?

A CASE STUDY

by KRIEGER AND GLORIA

ARMENIAN CATHOLIC COMMUNITY
NEW YORK

Rev. G. GUERGUERIAN
Pastor

Telephone:
Area Code 212 261-5124

Copyright by KRIEGER
all rights reserved including
the right to reproduce this book
or portions thereof in any form

Library of Congress Catalog Card
Number 66-01

Emval. Metruke

According to the instructions and regulations of Document No 28, Article 3,
"The type, amount, value, and the of name of the owners of the goods taken under protection will be registered in a detailed way."

Later on, these goods will be sent to convenient storage places such as churches, schools, and houses. Care will be taken to catalogue the goods under the names of the owners. Furthermore, the type and amount of goods, the name of their owners, where they are found and protected will be included in registration records, the original copy of which will be preserved in the local government and a ratified copy at the Commission for the Abandoned Properties. 18id p.76.

Article 6 -

Care will be taken to preserve the goods, pictures and holy books found at the churches in their original places after they are registered and listed.

Later on, the local ^{authorities} governments will send these belongs to the places where the population is resettled. ~~is~~

Article 7 -

The type, quantity of number and value of goods and land deserted by the population will be registered in a book and the lists of abandoned properties and land will be drawn up to every village and district and they will be delivered to the administrative commission. >>'

Article 20.

The land property that no-one wants to buy, may be leased for a maximum period of two years provided that the tenant assumes responsibility for the protection and maintenance and compensation of any sort of damages and pays a pledge.

Article 21.

Detailed lists will be prepared in order to show the type, quantity, place, rent, and the names of the tenants or new owners of both the sold or leased property and land by under building. x'

1. Ibid, p. 28-29.

Article 29.

The members of the administrative commissions for abandoned properties are collectively responsible for the administration and protection of such properties and land in the region as well as for the financial procedures.

Article 30.

The administrative commissions for abandoned properties consist of a specially assigned chairman and two members, one from the financial and the other from the administrative offices. 1

1. *Ibid.*, p. 80.

The laws of deportation of Armenians
" of confiscation of Armenian
properties in Turkey

The law of liquidation of Armenian pro-
perties in Turkey.

The law of liquidation of the Armenian
Church in Turkey,

The law of Restitution to Arm of Arme-
nian properties in Turkey to Armenian
original owners,

are still in force today would
as long as the Turkish State ^{Red, not} proclaimed
null and void the above laws and res^{tores}
titude to ^{Heir} Armenian original owners their
~~the~~ properties in Turkey

The actual ^{State} Government is responsible.

^{Henry} Kissinger, congressmen, Presidents, ^{and} Secretaries of
the state are ignoring ~~X~~ the existence of ^{the} above Turkish
laws signed by the Turkish Government high ranking
offici~~al~~, and the actual government refusing to
apply justice. The denial of Armenian rights is very
far from ~~X~~ being a solution.

201/943-1933

p. 2

IN LIEU

OF

PREFACE

IN Lieu of Preface

(Quoted) .. During the trial of ~~the~~ deportation and massacre ~~the~~ evidence of the atrocities came to light in their tragic nudity; in this country of Turkey right and justice ~~do~~ ^{exist} ~~are~~ not ~~reigning~~, but our ^{administration} ~~government~~ ~~had~~ adopted the ^{path} ~~way~~ of extortion and crime ...

Let us not try to attribute ~~the~~ ^{the} guilt to the Armenians, because we must not deceive ourselves that the world is ~~crazy~~, ^{INSANE}.

We pillaged the possessions of those whom we deported and killed.

In our Parliament and Senate we legalized robbery.

Our Deputies and Senators were not elected from the (^{ranks} barracks) of the TULUMBACI^S. 1)

1) This word in Turkish is used ~~comp~~ ^{slang} contemptuously to designate the lowest form of humanity, literally, it refers to members of the fire brigade (note of the authors).

* Our Minister of justice opened the doors of our prisons [to release the convicts].

" We organized gangs to kill Armenian children, ^{aged} ~~old~~ people, men and women.

" However, our Minister of justice ^{was the beneficiary of} had received ~~higher~~ education.

We did all this.

After ~~the fall of the~~ Unionists ^{Government Party} (2) what ^{fell from power} ~~are~~ we doing ^{we} to get away from their past activities?

~~Are~~ we giving ^{en} evidence of our ~~own~~ national energy to ^{exercise} (apply) ~~the~~ provisions of law against those gang leaders who ^{trampled} ~~did~~ ~~repeal~~ under foot ~~the~~ justice and transformed our national honor and existence into ^(mere) ~~a~~ ^{rag} and ^{rubbish}? 3
(end of the quote).

2 - Unionists, members of the Union and Progress Political Party of Young Turks in power. (^{years?})

3 - La Renaissance, No 193, Wednesday, May 14, 1919, quoted from ^{Turkish} newspaper "ALEMDAR" (Semi-official) being the organ speaking in the name of the Government and Sublime Porte.

INTRODUCTION

Political & scholar

All ~~the~~ ^{communities} politicians as well as
professors ^{all over} ~~in~~ the world ignored
absolutely the existence of the so-
called imperial edicts, key docu-
ments ~~for~~ of deportation, confiscation
of possessions, liquidation of properties,
as well as the ~~new~~ law of restoration,
published in ~~the~~ the official journal.

Introduction

Dr. Henry Kissinger, ^{former} Secretary of State for Foreign Affairs, made ^{in Detroit} in November 25, 1975, the following statement:

"It was tragic what happened to the Armenians 60 years ago, but it happened within the then Ottoman Turkish Empire.

"Today's Turkey is a strategic country and the United States attaches great importance to its friendship with Turkey."

"But ~~he did~~ ^{he} admit ~~that~~ "a great tragedy" took place, but it was not the work of the present Turkish Government" 2

"The massacres took place during 1914-1918".

Dr. ^{H.} Kissinger and his commentators are not supposed to know details of documentary evidence to point out the responsibility of the ~~Actual~~ ^{present} Turkish Republican Government, the documentary evidence being brought to light

1 - "The Armenian Weekly", vol. XLII - 12-2180

Thursday, December 18, 1975, p. 1, col. 2, p. 5, col. 3.

2 - ~~idem~~, p. 5, col. 4.
^{ibid}

book

late^{on} in the present booklet.

Dr. ^{HENRY} Kissinger seems, however, to state that the ~~actual~~ Turkish Republican government is not responsible ~~for~~ what happened the tragedy perpetrated in the Ottoman Empire 1914-1918, setting aside the political friendship between United States and Republican Turkey, both members of NATO.

As Kissinger's statement is ~~not~~ unclear and imprecise, it may give way to several interpretations, although political statement of a Secretary of State does not always necessarily make history.

We believe that Dr. Kissinger will change his mind as to the responsibility of the Turkish ~~Actual~~ government, when he precisely will see the historical light in the documentary evidence within the Turkish official documents, but we are not sure that he will change his actual policy with Turkey, Based on mutual interests.

friendly

✓ An other reason ^{further} urged us ~~more~~ to prepare this booklet: The hearings ^{held} ~~on the~~ Armenocide massacres of the Armenians by Representative

Lester L. Wolff, Chairman of ^{the} Subcommittee on Future Foreign Policy, Research and Development, of the House Committee on International Relations. These hearings were entitled

"Investigation into Certain Past instances of ^{the} Genocide and Exploration of Policy Options for the future".⁴ The hearings took place

Thursday, May 11, 1976, at 2:00 P.M. in ~~the~~ Room 2200 of ~~the~~ Rayburn Office Building, Washington D.C.

A part ^{from the} Chairman, Wolff, Democrat, New York, ^{Letter} there were Ex Congressman Edward Burke, Republican, Florida; ^{congressman} Wayne Hays, Democrat, Ohio; ^{congressman} George Danielson, Democrat, California; Edward I. Koch, Democrat, New York; John H. Crebs, Democrat, California. ^{Rep. Derwinski} These were the Representatives of the U.S. Congress.

4 - "The American Reporter", vol. IX, No 28, May 6, 1976

ARMENIAN CATHOLIC COMMUNITY

NEW YORK

Rev. G. GUERGUERIAN
Pastor

Telephone:
Area Code 212 261-5124

especially to find documentary evidence in Turkish Osmanli, they ignored the existence

All these doctors and professors ^{had not make researches} ~~ignore~~, up to-day, ^{with} the existence of Imperial edicts, sanctioned by the Sultan and signed by respective Turkish Ministers, and published successively in the official journal Takvim-i Vakayi as well as the Turkish Republican registration, particularly concerning the confiscation and seizure of Armenian possessions and property.

Americans who had prepared papers to read at the hearings were **the followings**:

- 1 Dr. Richard Hovannisian, Prof of Armenian history, University of California, Los Angeles,
- 2 Dr. Vahakn Dadrian, Prof. of Sociology, State University, New York, Geneseo,
- 3 Dr. Fredis Saejian, prof. of Armenian, University of California, Los Angeles
- 4 Dr. Shavarsh Torizian, Prof. of Law, University, Beirut, Lebanon,
- 5 Dr. Dennis Papazian, Prof. of Russian, Dearborn, Michigan
- 6 Dicran Simonian, Lawyer, N.Y.

The Great misunderstanding between the American Congress^{ional} Representatives and the American professors ~~what~~ was that the following: Representatives would and had a right to know and understand what was the real ^{and} ~~any~~ legal connection between the Ottoman Government that ^{from} 1914 to 1918 **deliberately planned,** organized and carried out the Armenocide on one hand, and the Actual Republican Turkish Government, That had not ~~orga-~~ ^{planned} ~~nized~~ and carried out the Armenocide of 1914-1918.

5

The Armenian professors and so called
"experts" of the Armenocide had a duty
and ^{primary} task to clearly explain and ~~demon-~~
~~strate~~ ^{prove} the responsibility of the Actual
Republican Turkish Government in the
massacres and ^{confiscation} ~~seizure~~ of ^{Armenian} property perpe-
trated ⁱⁿ 1914-1918.

Congressmen Burke and Hays ~~had~~
made ^{known} ^{pro-Turkish} their position before the hearings. Such
predisposition provoked not only misunder-
standing, but also ^{their expressions were} ~~was~~ against the dignity
of the U. S. Congress, and human ^{rights} ~~beings~~.

Certainly Armenian Professors did not
clearly see and ^{especially} ~~expose~~ the responsibility
of the Actual Republican Turkish Government,
but ~~they did not~~ They had done nothing
to be ^{compared with} ~~called~~ "donkeys & elephants"⁵ by
congressman Burke.

5 - The Armenian Weekly vol. XLIII-14-2204,
(8) Thursday, June 3, 1976, pp. 1, col 3 and 4,
p. 6, col, 1, 2, 3, 4
p. 7, col 1, 2, 3, 4

We would not incriminate these qualified Armenian professors and lawyers, who, unfortunately, had not the opportunity to study ^{deeply} archival materials ^{genuine documents} and prepare what they had to expose during the hearings. ^T They had ^{perhaps} only read what was published ^{and} during the period of 1914-1976, and again, unfortunately, in these publications the responsibility of the Actual Turkish Republican Government has never been extensively studied and proved with documentary evidence.

The purpose of the present booklet is to bring to light new ^{documentary} evidence concerning the deportation and massacre of the Armenians and the ^{confiscation} seizure of their possessions and property ^{ies}, deliberately planned, organized and carried out by ^{Prince} the both Cabinets of War of Said Halim Pasha & Ahmed Talaat Pasha, the Armenocide being ^{deliberate} State policy, and at the same time to clear ^{real and legal} the connection ^{of between the} off. Govt of 1914-1918 and the Actual Turkish Republican Govt. ^{MP} ~~in 1976~~ today.

during the hearings held by the Subcommittee in Washington D.C., May 11, 1976, ~~Am~~ Congressmen on one side and Armenian Speakers on the other, vividly discussed the question of responsibility of the Actual Turkish Republican Govt in the perpetration of the Armenocide 1914-1988. Congressmen Hays & Burke supported ^{the position} that the Actual Govt was not responsible, and they denied the connection of the Actual Govt with the ~~other~~ Turkish Govt. Armenians, especially A. Saugian & Sh. Torigian supported ^{the} contrary opinion, without ~~introducing~~ documental (did) evidence ~~get conviction~~. ^{were not convinced} ~~were not convicted~~. ^{did} Armenian Speakers did not give introduce satisfactory proof and evidence.

Sh. Torigian concluded: "And I also would like to say that the persecution continued in Nationalist Turkey or Republican Turkey in 1926-27-28. Thousands of Armenians were deported to Syria and Lebanon, and I also would say that State responsibility under international law attaches to the State not to governments. Change of government does not affect State responsibility. I think this is what

8

clearly international law tells us. And the fact that Turkey ~~of~~ or the ott. Empire was responsible for the crime of ^{Armenia} genocide — under the rules of state succession, under International ~~law~~ ^{law}, present day Turkey is certainly a continuation of the ott. Empire and this was determined in a very long case of the Ottomans. Did arbitration ...?

— Hays — We are not punishing Germany today for what Hitler Germany did; We punished the people at the time & the present govt of Germany has been admitted into the family of nations and is one of our strongest allies.

— Touizian — The Germans have accepted responsibility and they have paid compensation, ... as far I try to ~~say~~ show in my paper this wrong that started in 1915 continues — it is a continuing genocide. (x) The wrong has not stopped and for the continuation of that genocide present day Turkey is responsible.

Hays — But where is it going now?
You said there are no Armenians in Turkey.

(x) This is rhetoric, not legally and historically proved.

9

Torigian - Well, there are no Armenians in Turkey because either they have been massacred or deported. Does this simply mean that this is the best ~~is~~ solution for a political problem...!!

|| Hays - You said that the genocide is still going on in Turkey; now it couldn't be if there is nobody there.

Torigian - Well, my...

Hays - Maybe it is going on in Lebanon, I ~~don't~~ know. I ~~can't~~ figure, I ~~can't~~ sort that one out, I ~~don't~~ know who is trying to exterminate who over there, but obviously somebody is... Sir...

Sanjian - It is going on in Istanbul where there are 50-60,000 Armenians.

Hays - You mean they are being killed - In Istanbul?

9 | Sanjian - NO, not being killed. There is a cultural genocide going on... ?

2 - Sanjian diverted the discussion. There is no question of cultural genocide, especially in Istanbul.

1) Torigian did not say that Armenian property seized by the Republican ^{Govt} Turkey are still ^{in force} today all over Turkey, and that American Armenians have a right to restitution to be made by the actual Turkish Govt.

Congressman Hays remarked the deviation display -

"Hays" — That's a different thing...

Dr Torigian gave the right answer to Hays:

"Torigian" — "As long as the Armenians are not allowed to go back to their homeland, they live in foreign lands, where they are losing their identity every day, I maintain and I submit that the genocide, ~~which~~ started in 1915, continues."

Hays — Now of the people in this room, I take it, are American citizens — Do ~~they~~ ^{they} want to go back to Armenia.

Are they losing their identity in America?

Do they not want to be American citizens?

Are they Armenians? ²⁾ ~~(Yes they are of Armenian descent)~~

Or are they Americans? ³⁾ ~~(Yes they are American citizens)~~

Summary That is the question I ask, I am not Scottish, ~~[You are of Scottish descent]~~ I am an American, although my ancestors came from Scotland.

1) to get their homes back from the ~~the~~ actual Turkish occupants. ~~The~~ Turkish Govt is responsible.

2) Yes, they are of Armenian descent.

3) Yes, they are American citizens, There is no contradiction in ~~to being~~ ^{being} Armenian and American, at the same time.

Torigian - This is anatural problem covering the Armenians all over the World, I am not referring to ...

Hays - Well, I am not, I am a little upset by this - by the attempts of various groups in the country to fragment it, and to put the country of their origin (foremost) and it is not confined to Armenians, put their ahead of the country of United States of America, and all I can say is, if they ~~don't~~ want to be Americans, then there are plenty of other place to go. Maybe they prefer the Soviet Union, I don't know. 1)

Saujian - May I simply object, Sir, that I consider myself an outstanding American and I find no contradiction whatsoever with its having to do (with) an outstanding Armenian

on the contrary,

1) congressman Hays ^{has} nothing in Scotland, not a right to fight. Armenians have been forcibly expelled from their homes, and all their possessions & property ^{ies} seized by Turkish Republican Govt. The Armenian ^{original} have are the legal owners of their properties in Turkey. They are asking to be ~~be~~ restitute what is seized and confiscated. Hays is confusing Armenians with Americans of Scottish descent who have

no right to reclaim from Scotland.

We punished the people at the time and the present government of Germany has been admitted into the family of Nations and is one of our strongest allies.

- Torigian - The Germans have accepted responsibility and they have paid compensation ...

I find them entirely compatible, Sir.

- Hays - But the gentlemen just don't want to go to their homeland. (1) You don't want to go - is that right?

- Saejian - Sir, that is not the question, if ...

- Hays - Well, that's the question I am asking. >> 2

The discussion between Turkophile Congressmen and nationalist Armenian Speakers, fortunately, was not violent, but ~~utmost~~ ^{quite} passionate; so passionate that Burke and Hays left the hearings, and it seems that they ~~did not~~ have been ~~un~~ ^{un} able, on ~~both~~ ^{either} side, to convince each other.

However, the actual political friendship between United States and Republican Government of Turkey, can never change the real responsibility of ~~the~~ ^{Italy} ~~Actual~~ Turkey. The American friendship could help allied Turkey to reconstitute Armenian possessions and properties ~~as~~ ^{state} confiscated nowadays by the Actual Government of Turkey.

1 - Congressman Hays may change his mind. Armenians want first of all ^{to} be sure that Turkey wants to ~~restitute~~ ^{restitute} confiscated possessions and properties belonging to Armenians, then they would decide to go back home.

2 - "The Armenian Weekly" Vol. XLII-14-2204, Tuesday June 3, 1976, pp. 6-7, col. 2, 3, 4.

In the present summary study we will ~~make~~ ^{mark} divide into three distinct periods: 1913-1918, 1918-1922, and 1922-1988 to clearly ~~expose~~ the close connections ~~bet~~ existing between the succeeding cabinets of each distinct period and the responsibility of ^{the present actual} Turkish Governments 1913-1988.

The first period two War Cabinets of Said Halim Pasha 1913-1917 and Ahmed Talaat Pasha 1917-1918 self-implemented laws and Imperial Edicts ^{relative to} concerning the deportation and the ~~massacre of the Armenians~~, passed the provisional law to seize and liquidate ~~Armenian~~ ^{Armenian} properties ^{in Turkey}.

legislation
in imp.
edicts

In fact Armenians were deported massacred, and their properties ^{confiscated} seized and liquidated.

The second period Ottoman Governments ~~tried to~~ ^{do} ~~make~~ justice ~~for~~ to the

Armenians, ~~under British authorities~~

The Turkish Court-Martial sentenced the war cabinet members who had deported and massacred the Armenians, and to ^{confiscated} ~~seized~~ and liquidated their ^{movable} ~~movable~~ ^{and immovable} properties.

The Second period authorities abrogated the self-implemented laws by ~~the first period~~ ^{the state} authorities of the First Period.

Finally ⁱⁿ The Second Period Turkish

Government ~~as~~ published ~~1920~~ January 8, 1920

the law of restitution of Armenian Properties.

^{the National Assembly at Ankara} In The third period ^{or} Turkish Republican ^{successful} governments annulled the sentences delivered by the Turkish Court Martial against the War cabinet's members of the 1st period.

Similarly the Third Period Republican authorities abrogated the law of Restitution published by the authorities of the Second period, and again revived the law of Abandoned Goods of Sept. 13/26, 1915, to seize and liquidate

the properties of the Armenians deported and massacred, as well as properties ~~of~~ of those Armenian survivors.

The third period Republican authorities published many other laws, decrees, and regulations to prohibit Armenians to return to their homes, and to ~~seize~~ ^{confiscate} and liquidate their properties in Turkey.

Today ~~the~~ Turkish Republican Government ~~did~~ ^{has} not yet abrogated the provisional law of September 13/26, 1915, recalled into force by the Law of April 15, 1923 with some modifications. In both cases, abrogated or not, The Republican Government is directly responsible ~~of~~ ^{for} the seizure and liquidation of the Armenian fixed properties all over Turkey. As long as the Armenian properties are not restored, ^{successive} all ^{considered} governments shall be responsible.

* to their original owners

Turkish

In our introduction we will give documentary evidence that the Actual Republican Govt is responsible ~~as well~~ ^{and} the Ott. Govt ^{by} reproducing and comparing Turkish official documents in their primary form and source.

X

First Period 1914-1918

1. The Law of Deportation

The Law of Deportation, dated May 14, 1915, published in Takvim-i Vakayi, the Official Journal of The Turkish Government, ^{May} 10, 1915, in its form and content, is an Imperial Edict, signed respectively by;

- Mehmed V Reshad, Sultan,
- Prince Said Halim Pasha, Grand-Vizier,
- Enver Pasha, Minister of War and Acting Commander-in-chief of the Ottoman Armed Forces.

1) Takvim-i Vakayi, Number 2189, Thursday, 19 May 1915, p 1, col. 1 & 2.

1- $188-15 = 73$ years ¹⁴
~~No~~ All authors ^{within the} of last ⁷¹ (61) years ^{had} ~~had~~ never
taken ^{the} trouble to research the primary
source. 2) **documents**

2 - The photostatic reproduction
we are publishing for the first
is not only a primary source,
but also a key-document, **an Imperial Edict.**
The American Congressmen and the
Armenians so called "experts", who
discussed the responsibility of ~~the~~
Turkish Govts, shall ~~see~~ see for the
first time ^{the existence of} ~~this~~ **this** Key-document,
because what was reproduced and
published ^{previously} ~~prior~~, was only ^a distorted ^{ion} ~~by~~
the Turkish Government.

The Turkish author, Esat Uras,
in his ~~to~~ documentary book "Tarih te
Ermeniler ve Ermeni Meselesi", Armenians
and the Armenian Question Through History,
Ankara, 1950, p. 617, as well as
Haigaz K. Kazarian, in his ~~to~~ volume
~~"~~ Tezghasban Turken ~~"~~, The Genocidal
Turk, Beirut, 1968, pp. 69-70 & pp 179-180

Deliberately, the Turkish Government distorted the law of Deportation and stripped it ~~out~~ of its form of Imperial Edict. 3

Were satisfied to reprint in their books the law of deportation in its distorted ^{text} and form from

"Ermeni komitelerinin Amal ve Harakât-ı İhtilaliyesi Planı Mezurriyetten Evvel ve Sonra"

published Istanbul 1916 by the Turkish Government to justify the massacres of the Armenians and the confiscation of their possessions & properties in Turkey, pp. 237-238 in foot-note, and in the French translation of the same "Aspirations Révolutionnaires des Comités Arméniens avant et après la Proclamation de la Constitution Ottomane", Istanbul 1917, p. 316 in foot-notes.

3) Extensively in an other volume

2. Secret Instructions

16

These Secret Instructions concerning the Administration of Armenian possessions and immovable properties contained 34 articles, despatched on May 28, 1915 & as a circular to Valis & Mutesarifs by Talat Pasha, ^{Bey} Min. of Internal Affairs.

We did not see The Turkish Osmani text of these secret instructions, translated into Armenian by Haigaz K. Kazarian, in his book "Tzeghasban Turkun", 1968, Beirut, pp. 227-235. But we are sure

that Colonel Shahabeddin Bey, Acting Commander of the Fifteenth Division, Kayseri, despatched July 21, 1915, to Colonel Khalil Rıfai Bey, Acting Commander of the

X

Documents

page

a coded telegram 17
the Fifth Army Corps, Ankara, ^{assuring}
him that Zekai Bey, Mutesarif of
Kayseri, received from the Ministry ^{Departments}
of Internal Affairs the same Secret
Instructions containing 34 Articles,
on May 28, 1915. 4)

~~The so-called~~
(3) Provisional Law of Inval-e Metruke
of Abandoned Goods.

This law is an Imperial Edict signed
by
- Mehmed V Reshad, Sultan,
- Prince ^{Ahmed} Said Halim Pasha, Grand Vizier,
- Talaat Pasha, Minister of Internal
Affairs and Acting Minister of Finance,
- Ibrahim Bey, Minister of Justice, 5

~~This Imperial Edict~~ The photostatic reproduction
of the Imperial Edict is published

4) St. James Archives, Jerusalem, No h 615.

5) Takvimi Vakayi, No 2303, published
on Monday, 14 Sept. 1915. p 2, col 2.
p 3, col 1.

for the first time. It comprises 11

18

articles 6)

up to day neither Turkish nor Armenian writers and
historians reached the law of confiscation in its

form of actual text of Imperial Edict.

1918-1922 Many Turkish newspapers,

semi-official ^{and} or non-official qualified

|| this Imperial Edict as ~~a~~ "robbery"
|| legalized ^{by} in the Parliament and Senate || 7

|| This Imperial Edict came into effect
|| the day of its publication, Sept. 14, 1915..

7) "Alemdar" quoted by "La Renaissance"
No. 193, Wednesday, May. 14, 1919.

6) French Translation in, Dr. J. Lepsius,
"Deutschland und Armenien", Sammlung
Diplomatischer Actenstücke, Potsdam,
1919, pp. 214 - 216

8) Armenian Translation, in "Hegagau Khache-
~~kontiun~~ kontiun", The Armenian Crucifixion,
by Melkon Asadour, manuscript in possession
of Krikor Basmajian, Cairo, Egypt, pp. 72-75
with comments. The translation kept the
text of the Imperial Edict

during the session of the Senate
Senator Ahmed Riza Bey, on Oct. 4, 1915¹⁹
and Oct. 11, 1915, ~~has~~ made the following
motion: « Thousands and hundred ~~thousands~~
of women, children and old people are
today roaming, miserable and perplexed,
on the highways and mountains of Anatolia.
I introduce a draft of law and I demand
it to be scheduled for the next meeting
of the Committee for draft of laws.

"Draft of Law"

« I make a motion to amend, as follows,
Article 11 of the Provisional Law dated
Sept. ¹³/26, 1915 concerning the properties of
persons now resident in place other than
their rightful homes, and their debts and
credits.

« This law will come into force after
~~the~~ World War I and one month after the
proclamation of the Peace Treaty.

"Reasons"

- 1- During War time no one has the right to remove moveable and stationary properties belonging to others.
- 2- Because of the War, persons, countrymen and natives who have the greatest interest in buying the lands, are absent from the places where the sales are being made.

Moreover, people in easy conditions and circumstances, who would pay suitable prices for these lands, ~~are~~ ~~absent~~ cannot obtain money.

Presently, the sale of such lands will cause a great prejudice to the owners. Moreover, the inhabitants in the place in question will not have any advantage.

- 3- This Provisional Law, which has been decreed two days before the opening of the Parliament, in many points, contradicts the Constitutional Charter.

Also, it is ~~impossible~~ incompatible with right and justice. This law, consequently, must be, first of all, brought to the Parliament and come into force after the War.

For these reasons, I urge, in accordance with the provisions of the Article 55 of the Constitution the above-mentioned amendment.

October 4, 1915

Signed:

Ahmed Rıza 8/

The Law of So-called Abandoned Goods, ²¹
was not officially brought ~~the the~~ ^{to} discus-
sion as in the Chamber of Deputies and
Senate, but applied to the possessions
of Armenians deported and massacred, and
to their ~~stationary~~ ^{fixed} properties, liquidated.

4. The Law of Liquidation

The law of liquidation ^{of the so-called Abi Goods} contains 25 Articles,
dated Oct. 26, 1915, published on Saturday
Oct. 28, 1915, ^{the official journal} in "Takvim-i Vakaye" No 2343, 9)
and signed by

- Mehmed V Reithad, Sultan
- Prince Mehmed Said Halim Pasha, Grand-Vizier,
- Enver Pasha, Min. of War & Acting Commander-in-Chief
of the Ott. Armed Forces, & Army Naval Min.,
- Hayri, Supreme Chief of Divine Law and
Min. of Imperial Evkaf Department,

8 - Lepsius, op. cit. p. 163, No 238, and p. ~~125~~ ²³⁵.

9 - "Takvim-i Vakaye", No 2343, pub-
lished Saturday, Oct. 28, 1915, pp. 1,
col 1x2, p. 2, col. 1x2, p. 3, col 1x2, p.
4, col 1x2, pp. 5, 6, 7

- Talaat Pasha, Min. of Internal Affairs and Acting Minister of Finance
- Abbas Halim Pasha, Minister of Public Works,
- Ibrahim Bey Pirizade, Minister of Justice and Acting President of the State Council,
- Ahmed Nesimi Bey, Minister of Commerce and Agriculture,
- Ahmed Shakir Bey, Minister of Education and Acting Minister of Post, Telegraph and Telephone, and a member of the Three

This Imperial edict formed 14 ^{Member Executive Committee for Genocide} Commissions for the definitive liquidation of Armenian possessions & Properties;

- 1- Abandoned Goods in General,
- 2- " Cash money,
- 3- " Goods ^{there in} deposited,
- 4- " Assets,
- 5- Proceeds from sale of Furniture
- 6- " " " of Transfer of the ~~immovable~~ ^{fixed} property transferred to the Treasury of Evkaf Department

and the Treasury of the Department of Finance

- 7- Proceeds from the Sale of ~~immovable~~ ^{fixed} property transferred to the Treasury of the Department of Finance.
- 8- Abandoned Depts,
- 9- Payment of "
- 10- Expenses incurred for abandoned movable goods,
- 11- Provisional Expenses,
- 12- Proceeds of funds derived from irregular Transactions,
- 13- Current Cash accounts of deported persons,
- 14- Current Accounts from the State Treasury. 10

The photostatic copy of this Imperial Edict is ^{also} published ^{herein} for the first time, not only for ^{the benefit of the} Congressmen and so-called Armenian "experts", but especially for

10. - Takvim-i Vakayi, No. 2343, p. 3, col. 2.

researchers and Scholarly ^{the academic} Community.

24

The seizure & confiscation of Armenian possessions and properties, as well the definitive ~~the~~ liquidation was in 1914-1918 the deliberated State Policy, and is now State policy.

if it ~~was~~ ^{were} not a State policy of ~~today~~ ^{authorities} ~~the Turkish~~ ^{Republican} ~~Government~~ ^{today} ~~had~~ ^{would have} already made restitution to the Armenian people. As long as successive Turkish Governments ~~would~~ ^{do} not ~~restitute~~ ^{are} the Armenian property, the Armenian Cause ~~would~~ ^{will} not ~~have~~ ^{reach} any solution in history ~~and~~ ^{as} in International Law. ^{jurisprudence.}

II Period - 1918-1922

Second Period 1918-1922

The second period began ^{with} the fall of the Cabinet of Talaat Pasha officially proclaimed; Oct. 7, 1918.

The succeeding cabinets and governments officially recanted and detracted the Armenocide planned and carried out by both War cabinets the Armenocide ^{as} ~~(being)~~ a State policy.

The successive cabinets ^{during} of the period 1918-1922 established Extraordinary Courts Martial to prosecute and punish all those responsible ^{for} the deportations and massacre of the Armenians, and ^{for} the confiscation ~~and~~ ~~the~~ liquidation of their possessions and ~~immovable~~ ^{fixed} properties seized and liquidated by both cabinets of the first period 1913-1918.

On July 5, 1919, ^{the} Turkish Extraordinary Court Martial sentenced both War cabinet members ¹¹⁾:

- 1- Ahmed Talaat Pasha, Minister of Internal Affairs, 1913-1917 January, and Acting Minister

11) "Takvir-i Vakay", the Turkish official Journal, No 3540, 3543, 3547, 3549, 3554, 3604 etc. minutes of trial & verdict.

Second Period 1918 - 1922

The second period began with the fall of the cabinet of Talaat Pasha officially proclaimed on ~~November~~^{October} 7, 1918. The succeeding governments officially detracted the Armenocide projected and carried out by both administrations of Said Halim Pasha (1914 - 1917) and Talaat Pasha (February 1917 - October 7, 1918).

The succeeding administrations 1918 - 1922, tried to punish those responsible of deportation and massacre, and confiscation of Armenian possessions and property, seized and liquidated in the period of 1913 - 1918.

On July 5, 1919, the Turkish Extraordinary Court Martial senten-

ced both War Cabinet members: 1

1- Ahmed Talaat Pasha, Minister of Internal affairs and acting Minister of Finance, and then Grand Vizier from February 1917 to October 7, 1918, was sentenced to death on July 5, 1919; 2

2- Enver Pasha, Minister of War and Acting Commander-in-Chief of the Ottoman Armed Forces. 3

3. Ahmed Yemal Pasha, Acting Minister of Navy, and Commander-in-Chief of the 4th Army Corps, under the jurisdiction of which mostly of the Armenians were deported in the desert, and massacred. 4

1, 2, 3, 4, Takvim-i Vekayi, Turkish official journal, No 3604, July 5, 1919. The Armenian atrocities were committed by their instructions.

4. Dr. Behaeddin Shakir Bey, member of the Central Committee; chairman of the executive Committee of the Armenocide, and President of the Teşkilât-ı Mahsusa, or Special organization. 5

In the
Provinces

5. Dr. Nazim Bey, Member of the Central Committee, member of the Executive Committee for the Armenocide, and member of the Teşkilât-ı Mahsusa in Constantinople. 6

6. Moussa Kiazim Effendi, the first Sheikh-ul-Islam, whose death sentence was not ratified by the Sultan, but changed into 15 years of hard labor. 7

7. Halet Bey, Deputy for Erzinjan. 8

a leader of the Teşkilât-ı Mahsusa
at Constantinople, 15 ^{and} the first

+ 6 - Mousa Kiazim Efeudi, Sheikh-ul-Islam,

to be sentenced to death in the history of Islam.

of the sentence was not ratified by the Sultan, ^{it was} changed ^{into}
15 years ^{of} hard labor. 7 - Halet Bey, Deputy for Erzinjan, 17

16) + 8 - Noursret Bey of Yemina, Kaymakam of
Bayburt, promoted Mutesarif of Ourfa, 18
was hanged at Bayazid Square, Consple.

+ 9 - Ali Kemal Bey of Van, Kaymakam of
Boghazlian, promoted Provisional Mutesarif
of Yozgat, ^{was hanged at Bayazid Square, Consple} ^{etc, etc.} 19
April 10, 1919

+ 10 - Jemal Azmi Bey, Governor-General
of Trebizond, and Nail Bey, Respon-
sible Secretary of Union and Progress
Party at Trebizond, 20

20 - Takvim-i Vakayi No. 361⁶, Sentence
delivered May 22, 1919, published
Aug. 6, 1919.

15 - Takvim-i Vakayi, No 3604, July 5, 1919

16 - "La Renaissance", No 191, Sunday, July 13, 1919,

17 -

18 - TERKÜMAN-ı Hakikat, No 14136, Aug. 5, 1920

19 - Takvim-i Vakayi No 361⁷, Sentence July 20, 1920.
8, 1919, published 7 Aug. 1919

- 11- Memdoub Bey, Mutasarif of Erzinjan, promoted Governor - *dece* General of Mosul, 21
- 12- Faïd Bey, Minister of Finance, sentenced to 15 years of hard labor, 22
- 13- Mustafa Sheref Bey, Minister of Commerce, sentenced to 15 years of hard labor, 23
- 14- Major Tefik Bey, ~~Gendarmier~~ Commander of Yozgat sentenced to 15 years of hard labor, 24
- 15- Nazim Bey of Resné, Responsible Secretary of ~~the~~ Union and Progress Party ⁱⁿ at Mamouret-ul-Aziz, sentenced to fifteen years of hard labor, 25

-
- 21- Takvim-L Vakayl No 3917, sentenced July 20, 1920, pp. 5-6, Le Bosphore, July 23, 1920
 - 22- 23, Takvim-L Vakayl No 3604, sentenced delivered July 5, 1919.
 - 24- Takvim-L Vakayl No 3617, sentence delivered April 8, 1919, published Aug, 6, 1919.

- 16 - 12 Responsible Secretaries sentenced each to 3 to 15 years at hard labor, 26
- 17 - ^{Dr.} Ahmed Mithad Bey, ^{Rep.} Secretary at Brousa, and Dr. Ismail Bey, sentenced to death, 27
- 18 - Mehmed Ali Bey, Director Customs Department at Trebizond, sentenced to 10 years at hard labor, 28
- 19 - Kizmo Yusuf, Gang leader,
- 20 - Aslan Chavoush of Erzinjan / Sentenced to death
- 21 - Rifat Bey, Governor of Dazig, Chief of Tribe, idem
- 22 - Hafiz Abdallah Bey, brother of Ghani Bey, Responsible Secretary of Union and Progress Party at Adrianople, sentenced to death, was hanged at Bayazid Square, Constantinople, on July 22,

-
- 25 - Takvim-i Vakayi, No. 3771, Sentence delivered January 18, 1920, published Febr. 9, 1920,
- 26 - Takvim-i Vakayi, No. 3772, sentence delivered January 8, 1920, published Feb. 9, 1920.
- 27 - Le Bosphore, No. 575, Sept. 3, 1920
- 28 - Takvim-i Vakayi, No. 3616, ^{verdict} sentence delivered May 22, 1919, published Aug. 7, 1919.

1920, Before dying, Hafiz Abdallah shouted
 from ^{the} gallows: cc Long live the Union
and Progress~~ive~~ Party. I rendered a great
service to my country by killing the
Armenians → 29

Thousands and hundred^s of thousands of Turks
~~had~~ served their country ^{similarly} ~~in the same way.~~
~~We gave some samples.~~

We have merely cited some examples

29 as 2 Le Bosphore July 23, 1920. S. 861.

CONTENTS

are Turkish authorities
is the actual ~~soot~~
Responsible?

- 1- In line of Preface, "Alemdar",
- 2- Introduction
- 3- Enval-i Metruke
- 4- ~~X~~ Law of Deportation 14/5/1915
- 5- ~~X~~ Law of confiscation 13/9/1915
- 6- ~~X~~ Law of Liquidation 26/10/1915
TURKISH EXTRAORDINARY COURT M.
- 7- ~~X~~ Law of Restitution 8/1/1920
- 8- ~~X~~ Protest against the law of Restitution
- 9- Allied Authorities in Turkey urged
Paris Peace Conference March 1920
- 10- Paris Peace Conference ^{including} in the
Treaty of Sevres the 2 clauses
of ~~no~~ ~~property~~ restitution 10 Aug, 1920
- 11- The ^{Turkish National} ~~Assembly~~ signed The Treaty of Sevres
The ^{National} Assembly rejected the Treaty of Sevres
- 12- " 1st military alliance April 15, 1920
With Azerbaijan to Massacre

- 124 - Treaty^{us} of Lausanne & Sevrès, Analogous
- 13 - Republican Govt. of Kemal, against the principle established in Sevrès & Lausanne.
- 14 - Rep. Govt. revived the law of 1915, on 1923,
- 15 - Rep. Govt. proclaimed null and void the law of Restitution 1920
- 16 - The law of Ab. foods in force 1976.
- 17 - The Actual Govt. positively responsible

^{people}
Germans in Diaspora had ^{made} ~~each~~ protested ~~every~~ year, more than once.

Department, The Foreign Department in Moscow, cannot protest.

^{included}
Secondary sources eliminated when exist primary sources are available.

to Does the protest prevent prescription?
Who must protest? people or Govt?
x Arm. Govt. has ~~not~~ as Foreign

EMVAL-1
METRUIKE

L A W O F
D E P O R T A T I O N

May 14, 1915

The Law of Deportation is discussed in two Turkish newspapers published in Constantinople: "Hadi'sat" and "Alemdar", ~~the former in its issue of April 3, 1919, and the latter in its issue of April 5, 1919.~~

Following here are some revealing quotes:

Finally, ^{not} ~~don't~~ use the term "law" to designate the "Law of Deportation".

If the latter had been applied to your own family, it would have been interesting to see with what philosophical terms you would have shouted that the "Law of Deportation" was a violation of human rights and justice.

You do not hesitate to call "Law" the "Law of Deportations" the decision made by four ~~ban~~ bandits.

The Law of deportation discussed in two Turkish newspapers published in Constantinople "Hadi'sat April 3, 1919, and "Alemdar April 5, 1919.

In what book of religion or by what act of conscience can this be called "Law"?

If the Government of Talaat learned that its "Law", which you approve, or its orders were being abused, that crimes were being committed contrary to the orders and decisions, can you tell me if ~~he~~ Talaat punished a single one of the transgressors?

Reshid Bey, the Governor General of Diarbekir, went from Constantinople to Diarbekir with two handbells, but he returned with wagons filled up with the riches of Armenia.

And he was further promoted to Governor General of Ankara.

Some officials refused to deport

and massacre Armenians, following only the voice of their Conscience.

Today you consider these latter as men of conscience being the most virtuous men of Union and Progress Party, while yesterday they were considered enemies of the country, persons without spirit, even ordinary cowards.... |

| Quoted by la Renaissance, No...

LAW OF
CONFISCATION

Sept. 13, 1915

LAW OF
CONFISCATION

Sept. 13, 1915

To illustrate how the Armenian fixed properties were definitively liquidated by the Turkish Government, we will ~~be~~ publish for the first time a document preserved in The Archives of Vienna, sent to the Foreign Minister by Malgareff Pallavicini, Ambassador at Consple.

Imperial and Royal
Austro-Hungarian Embassy

Yeniköy, August 31, 1915.

Constantinople

No $\frac{71}{P}$ B.
Armenian Deportations

Attachment No 70/P-B

August 27, 1915

1 enclosure

To His Excellency the Lord Minister
of the Imperial and Royal House
and Minister, Foreign Affairs,
Baron Burian;

1 (enclosure) submit for your examination
the transcript of an extensive report
of Imperial and Royal Consular
Agent in Broussa, which explicitly
depicts how the banished Armenians
were forced to sell their possessions

2

to Moslems belonging to the Union and Progress Committee and other Turks.

Through the American Ambassador, I heard that American Missionaries in the Interior of Asia Minor report that huge masses of Armenians have been killed either through direct murder or through Starvation and ^{ill}sickness.

Also, German officers who had been recently stationed in Asia Minor relate scenes of horror that took place in those regions.

Yesterday I also spoke face to face with Talaat Bey in a similar vein, as I had already done with the Grand Vizier. The Minister of the Interior told me that he had issued strict orders to stop the persecution of Armenians.

Attachment to the Communiqué dated
31 August 1915, Yeniköy, Constantinople,
Number $\frac{71}{P}$ B.

Copy of report no 464/P of August
23, 1915, from the Imperial and Royal
consular Agent in Broussa addressed
to the Imperial and Royal Embassy.

Mostly only wealthy Armenian families
were found among yesterday afternoon's
third convoy of exiles. The night before
their departure, at around nine-thirty
(9:30), the land owners from this group
were summoned to the Office of Deeds
by ^a ~~the~~ Servant of the Union and Progress
Political Club for the purpose of deeding
over their property. The Armenians
promptly complied with this order
and ^{by force were made to deed their property to} ~~forcibly~~ Turks whose names
they had never knowⁿ prior to this
time, except in the deed office.

This forcible Sale was carried out in the following manner;

No Sooner had the Armenians arrived in front of the Dads Office, they were advised to declare ^{that} they were selling their homes or land of their own free-will and that the amount of money offered for the Sale was a fair market value.

In the room, where the officials and some witnesses had taken up positions, a bag of money lay on ~~the~~ a table. At the end of the formalities, this money-bag was to be handed over to the Seller. The Turk Buyer had first to count out the money and state that amount was correct, and, according to previously issued instructions, replaced the money in the bag.

As soon as the Armenian "Seller" left the room, Turks waiting in the corridor would snatch the bag of money ^{of} away from him.

The ^{same} bag containing the money would then be returned to the room where it would again be used to execute subsequent forced-sales.

The "transactions" were carried out in so crafty a manner, that the Armenians not only found themselves without claim to their properties, they were even stripped of the ridiculously small amount paid out for the sale - and this within the very walls of the Deeds Office.

That same evening, among others, Broussa's two most beautiful

mansions were handed over, one in the name of the Union and Progress Club, and the other, in the name of Ibrahim Bey, Chairman of the Committee.

Even though the local Governor-general ~~left~~^{gave} the impression of being a good and just man, ~~for~~^{for} I discovered that he tried to prohibit all such cruelties. Nevertheless he lacked the energy to ~~face~~ face up to ~~the~~ members of the Union and Progress Party.

I know with full certainty that yesterday, ~~during~~^{throughout} the ~~entire~~ night, such transactions did indeed ~~take~~^{take} place.

During the course of conversation,

the Governor-General confided to me that he was seeking a way to put a stop to these illegal transactions, and eventually, to declare them null and void.

At the same time he notified me that he had taken the necessary measures for the safety of the Armenian deportees. 1)

1) Vienna, Austria, Foreign Affairs Archives,

The LAW OF
RESTITUTION

January 8, 1920

Rec. 247, Thursday, Sept. 18, 1910

from Vakit

Zareh Patuarch made the following statements to the reporter of Vakit;

... 4 - The possessions of the unfortunate deportees were seized, ~~were~~ pillaged in major part & ~~some was~~ ~~partly~~ were sold ~~at~~ ^{with} ridiculous prices. ~~Actually~~ the unfortunate deportees ~~have~~ returned home, ~~and~~ seeing their goods in the possessions of others, they are obliged to beg in the streets.

Despite their immovable property ~~were~~ ^{being} sold officially ~~at~~ ridiculous prices, ~~and the fact that~~ ~~and despite~~ these unfortunate people ~~remain~~ ^{are} living in the streets, the Govt had not yet ^{taken} ~~made~~ any measures to make their lives easy, to help their sufferings, by ratifying the draft which ~~is~~ ^{for} ~~since~~ months ^{has been} on the table of the Council of Ministers, a draft concerning the restitution of Armenian possessions & properties seized by...

I must ~~st~~ point out that ~~a fact very~~ a surprising fact that, although the professors and students of Sanasarian High School at Divas had been massacred and the building of the school pillaged and ransacked, the Sanasarian Inn in Conople ~~belonging~~ to the school ~~are~~ is the official property of the same school, has not yet been restituted by the ~~same~~ Police Commission, despite many, many instances, ^{in which} I made ^{appeals?} in my capacity of legatee and despite all statements made that ~~justice~~ ^{they will do} ~~render~~.

Rec. 249, Sat. Sept. 20, 1919

"Verchin Lour"

Mr. Hamamjian, ^{official representative} Capou-Kehaya ^{Kapi-Kahyase} of the Armenian Patriarchate, had a ~~inter~~ meeting with Grand-Vizier Damad Ferid Pasha, which lasted half an hour, on Thursday, 18 Sept. 18, 1919.

He delivered to him a request containing the following ~~claims~~ claims:

- 1- The application of the law "of concerning Ab. Goods" ~~that since~~ ^{which for} two months is on the table of the Council of Ministers.
- 2- As in the past, the delivery made by the Patriarchate concerning the ~~new~~ ^{new} informations about the sales and purchase, in order to prevent abuses which have been committed in the Park.
- 3- To grant a part also to the Armenian orphans from the amounts of taxes perceived from the public in general & in favor of the soldiers died on battle-front.
- 4- Distribute seeds to ^{the} Armenians deportees who are returning home.
- 5- Immediately restore to Armenian nation the Sanasarian Inn, detained by the General Headquarters of Police.

(over)

ARMENIAN CATHOLIC COMMUNITY

NEW YORK

Rev. G. GUERGUERIAN
Pastor

Telephone:
Area Code 212 261-5124

6. Immediately restitute the houses or pay a pecuniary indemnity to Armenian owners deported and returned home and whose habitations are occupied by Turkish refugees.

The Grand-Vizier ~~was~~ took into consideration the request, and stated that the claims are justified, that he believed that many of the questions were already resolved. He promised to give satisfaction to Armenian claimants.

The REPUBLICAN
GOVERNMENT
BREAKS LAUSANE
TREATY

III The LAW of

31st MARCH 1927 (1) III

THE COUNCIL OF Commissioners is authorized to deny Turkish citizenship to Ottoman subjects who, during the War of Independence, did not participate in the national struggle, and who, remaining in foreign countries, did not return to Turkey from July 23, 1923 until ~~the~~ promulgation of the present Law.

Those who opted for Turkish nationality in accordance with Treaties already in force are excepted.

1) At Severs and Lausanne the Turkish Government signed that no civil or military laws or regulations could be published by Turkish Authorities against principles accepted as fundamental laws.

Treaty of Severs: Articles 140-147

" of Lausanne: " 37-44

^{chairman}
The Chief of Turkish Delegation at Lausanne Ismet Pasha solemnly and officially promised to proclaim general amnesty July 27 1923